

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

106-94

50 CFR Part 226

[Docket No. 940663-4163; I.D. 040694A]

Designated Critical Habitat; Steller Sea Lion**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Final rule; technical amendment.

SUMMARY: NMFS announces a technical amendment to the final rule that designated Steller sea lion critical habitat under the Endangered Species Act (ESA). The technical amendment revises regulations by changing the name of one designated haulout site from Ledge Point to Gran Point and by correcting the longitude and latitude of 12 haulout sites, including Gran Point. The purpose of this action is to correct errors in the published regulations. These corrections are consistent with the goals and objectives of the ESA.

EFFECTIVE DATE: June 14, 1994.

FOR FURTHER INFORMATION CONTACT: Susan Mello, Protected Resources Management Division, Alaska Region, NMFS, (907) 586-7235.

SUPPLEMENTARY INFORMATION:**Background**

In late 1990, NMFS listed Steller sea lions as a threatened species under the ESA because of a drastic population decline (55 FR 49204, November 26, 1990). Coincident with, and subsequent to, the listing, NMFS implemented protective regulations under the ESA and the Magnuson Fishery Conservation

and Management Act to aid recovery of the species. On August 27, 1993, NMFS designated critical habitat for Steller sea lions, which includes all rookeries within U.S. borders, major haulouts in Alaska, aquatic areas associated with these terrestrial habitats, and aquatic foraging habitats in waters off Alaska (58 FR 53138).

The purpose of this technical amendment is to correct earlier transcription errors in the regulations, and to incorporate improved locational data from NMFS and Alaska Department of Fish and Game surveys.

Revisions to 50 CFR part 226 regulations include:

1. Changing the name of one designated haulout site from Ledge Point to Gran Point.

2. Correcting the latitude and longitude of Seguam Island-South, Bird Island, Ushagat Island, Cape Fairweather, Graves Rock, Biorka Island, Cape Addington, Cape Cross, Cape Ommaney, Coronation Island, Gran Point, and Lull Point haulout sites.

Classification

This technical amendment makes minor corrections to existing rules. Therefore, notice and public comment thereon and a delay in making these corrections effective would serve no purpose. Accordingly, under 5 U.S.C. 553(b)(3)(B), notice and public comment thereon are unnecessary. In addition, under 5 U.S.C.(d), good cause exists to waive a delay in the effective date.

This technical amendment is being issued without prior comment. It is not subject, therefore, to the Regulatory Flexibility Act requirement for a regulatory flexibility analysis and none has been prepared.

This technical amendment makes minor corrections to a rule that has been determined to be "not significant" for purposes of E.O. 12866.

List of Subjects in 50 CFR Part 226

Endangered and threatened species.

Dated: June 6, 1994.

Charles Karnella,

*Acting Program Management Officer,
National Marine Fisheries Service.*

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For the reasons set out in the preamble, 50 CFR part 226, is amended as follows:

PART 226—DESIGNATED CRITICAL HABITAT

1. The authority citation for part 226 continues to read as follows:

Authority: 16 U.S.C. 1533.

2. Table 2 to part 226 is amended by revising the following entries and footnote 2, and by removing the entry for "Ledge Point" under "Southeast

Alaska" and adding in its place the entry for "Gran Point", to read as follows:

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TABLE 2 TO PART 226

State/region/site	Boundaries to—			
	Latitude	Longitude	Latitude	Longitude
Alaska:				
Central Aleutians:				
Seguam I:				
South ¹	52°19.5N	172°18.0W	52°15.0N	172°37.0W
Western Gulf of Alaska:				
Bird I ¹	54°40.5N	163°18.0W		
Central Gulf of Alaska:				
Ushagat I ¹	58°55.0N	152°22.0W		
Eastern Gulf of Alaska:				
Cape Fairweather	58°47.5N	137°56.3W		
Graves Rock	58°14.5N	136°45.5W		
Southeast Alaska:				
Biorka I	56°50.0N	135°34.0W		
Cape Addington	55°26.5N	133°49.5W		
Cape Cross	57°55.0N	136°34.0W		
Cape Ommaney	56°10.5N	134°42.5W		
Coronation I	55°56.0N	134°17.0W		
Gran Point	59°08.0N	135°14.5W		
Lull Point	57°18.5N	134°48.5W		

¹ Includes an associated 20 nm aquatic zone.

² Associated 20 nm aquatic zone lies entirely within one of the three special foraging areas.